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Appendix 1, Changes: ASOC 1997 to ASOC 2008

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Introduction

The second edition of the ASOC reflects a substantial review of all facets of the classification. The first edition of the classification was released in 1997 and there have been significant legislative changes at state and territory level since the first edition was released. A second edition of the classification was released in order to maintain its relevance for crime and justice agencies and to enable data providers to align local legal codes to the national ASOC framework.

The third edition of ANZSOC 2011 does not incorporate any further changes to the content or structure beyond those included in the second edition of ASOC.

This appendix lists all the changes that have been made at the division, subdivision and group level for the revised edition of ASOC.

ASOC Divisions

The second edition of ASOC is separated into 16 divisions, reflecting the same structure as the first edition. Four divisions have undergone

name changes.

5 Division 05, previously titled 'Abduction and related offences' has been renamed 'Abduction, harassment and other offences against the person' to accommodate a new subdivision which incorporates more offences against the person which were previously in Division 16.

9 Division 09, previously titled 'Deception and related offences' has been renamed 'Fraud, deception and related offences' to more clearly reflect the subdivisions and groups within the division.

11 Division 11, previously titled 'Weapons and explosives offences' has been renamed 'Prohibited and regulated weapons and explosive offences' to better reflect that only prohibited or regulated weapons are counted in this division.

14 Division 14, previously titled 'Road traffic and Motor vehicle regulatory offences' has been renamed 'Traffic and vehicle regulatory offences' to incorporate non-road vehicles, such as boats and aircrafts, and non-motor vehicles.

ASOC Subdivisions

The second edition of ASOC includes 49 subdivisions, three more than the first edition.

21 Subdivision 021 has been disaggregated to include assault resulting in serious injury, assault not resulting in serious injury, and common assault.

53 Subdivision 053 has been created to include 'Harassment and private nuisance' and 'Threatening behaviour', which were previously located in Division 16.

91 Subdivision 091, previously titled 'Fraud, forgery or false financial instrument' is now a new subdivision, titled 'Obtain benefit by deception'.

92 Subdivision 092, previously titled 'Counterfeiting currency and related offences' is now titled 'Forgery and counterfeiting'.

93 Subdivision 093, previously titled 'Dishonest conversion' is now titled 'Deceptive business/government practices'.

99 Subdivision 099, previously titled 'Other deception offences' is now titled 'Other fraud and deception offences'.

131 Subdivision 131 has been separated depending on whether offences are disorderly or offensive. Subdivision 131 retains its title of 'Disorderly conduct', while Subdivision 133 has been created and is titled 'Offensive conduct'.

151 Subdivision 151 has been separated into 3 subdivisions to incorporate the addition of more breaches of orders. Subdivision 151 now reflects all custodial order breaches, and is now titled 'Breach of custodial order offences'.

151 Subdivision 151 includes all breaches of custodial order offences, and is now titled 'Breach of custodial order offences'.

152 Subdivision 152 includes all breaches of community-based orders, and is now titled 'Breach of community-based order'.

153 Subdivision 153 includes all breaches of violence and non-violence orders, and is now titled 'Breach of violence and non-violence orders'.

155 This subdivision has been created in order to relocate what was previously Subdivision 153 'Offences against government security'. Subdivision 155 now includes all groups which resided in Subdivision 153 in the first edition.

156 Subdivision 156 is a new subdivision, titled 'Offences against justice procedures'. This subdivision has moved from 152 to 156 in order to keep the three subdivisions relating to breaches of orders together.

161 Subdivision 161, previously titled 'Harassment and Related Offences' is now titled 'Defamation, libel and privacy offences'.

ASOC Groups

The second edition of ASOC includes 135 groups, 16 more than the first edition. Please note that the following groups have been removed since the first edition: 0122, Conspiracy to murder, 0915 Fare evasion, 1315, Conspiracy and 1514, Breach of domestic violence order. These groups are now inclusions within other groups.

111 'Conspiracy to murder resulting in death' and 'Unlawfully kill a person under care' have been added as inclusions to Group 0111, Murder.
'Conspiracy to murder that does not result in death' and 'Threats to kill where there is an apprehension that the threat could be enacted' have been added as exclusions to Group 0111, Murder.

121 'Conspiracy to murder not resulting in death' has been added as an inclusion to Group 0121, Attempted murder.
'Inflict injury where there was not an intent to kill the other person' and 'Conspiracy to murder that results in death' have been added as exclusions to Group 0121, Attempted murder.

131 'Industrial/corporate manslaughter' has been added as an inclusion to Group 0131, Manslaughter.
'Unlawfully kill a person under care' has been added as an exclusion to Group 0131, Manslaughter.

210 Assault groups have changed to be more comparable across jurisdictions. Group 0211 is now titled 'Serious assault resulting in injury', 0212 is titled 'Serious assault not resulting in injury', and 0213 is titled 'Common assault'.
211 'Deliberate transmission of a grievous bodily disease', 'Torture' and 'Child abuse' have been added as inclusions to Group 0211, Serious assault resulting in injury.
'Common assault', 'Driving causing grievous bodily harm', 'Threat of assault' and 'Serious assault where injury is not determined' have been added as exclusions to Group 0211, Serious assault resulting in injury.

212 'Threats to assault/kill where there is an apprehension that the threat could be enacted' has been added as an inclusion to Group 0212, Serious assault not resulting in injury.
'Serious assault where injury is not determined' has been added as an inclusion to Group 0212, Serious assault not resulting in injury.
'Assault resulting in injury' has been added as an exclusion to Group 0212, Serious assault not resulting in injury.

213 'Assault on a person through the course of their occupation (e.g. police officer, justice official etc.)' has been added as an exclusion to Group 0213, Common assault.

291 Group 0291 is a new group, titled 'Stalking'.
'Harassment where there is no indication that the behaviour is intended to cause physical or mental harm, or arouse apprehension or fear' and 'Nuisance phone calls' have been added as exclusions to Group 0291, Stalking.

299 'Drink/food spiking (where further intent unknown)' and 'Administer a sedative or hypnotic drug (where further intent unknown)' have been added as inclusions to Group 0299, Other acts intended to cause injury, nec.
'Administer drugs with intent to assault/steal' and 'Threatening behaviour' have been added as exclusions to Group 0299, Other acts intended to cause injury, nec.

311 'Intent/attempt to commit rape', 'Assault with the intent to commit a sexual act' and 'Administer drugs with intent to rape' have been added as inclusions to Group 0311, Aggravated sexual assault.
'Abduction, taking, detention or enticement for sexual purposes (where known)' has been added as an exclusion to Group 0311, Aggravated sexual assault.

321 'Grooming offences, including those offences where a carriage service is used to groom (e.g. cultivating an online relationship with a child or children)' has been added as an inclusion to Group 0321, Non-assaultive sexual offences against a child.
'Child pornography offences', 'Sexual servitude offences' and 'Carnal knowledge' have been added as exclusions to Group 0321, Non-assaultive sexual offences against a child.

322 All pornography offences involving a child have been split out from Group 1323, and moved to its own Group, 0322 'Child pornography offences'.
'The direct assault of a child', 'The direct sexual assault of a child', 'Procuring a child for prostitution for prostitution/pornography', 'The production, possession, distribution or display of controlled or other pornographic material (excluding child pornography)' and 'Carnal knowledge' have been added as exclusions to Group 0322, Child pornography offences.

323 Sexual servitude offences, not previously covered in ASOC, have been added as a new Group, 0323 'Sexual servitude offences'.
'Debt bondage' and 'Operation of a sexual servitude business' have been added as inclusions to Group 0323, Sexual servitude offences.

329 'Wilful exposure' has been added as an inclusion to Group 0329, Non-assaultive sexual offences, nec.

411 'Death caused by a driver under the influence of alcohol or other substance' has been added as an inclusion to Group 0411, Drive under the influence or alcohol or other substance.
'Drive causing grievous bodily harm', 'Engage in an unauthorised road race' 'Speed in a dangerous or negligent manner' and 'Fail to have proper control of a vehicle' have been added as inclusions to Group 0412, Dangerous or negligent operation (driving) of a vehicle.
'Drive while disabled', 'Exceed the legal speed limit' and 'Cause a vehicle to make excessive noise or smoke' have been added as exclusions to Group 0412, Dangerous or negligent operation (driving) of a vehicle.

491 The group previously titled 'Neglect of person under care' has been renamed to 'Neglect or ill treatment of person under care'.
'Ill treatment of patients', 'Ill treatment of elderly persons under care' and 'Ill treatment of mentally disabled persons under care' added as inclusions to Group 0491, Neglect or ill treatment of person under care.
'Unlawful killing of a person under care' has been added as an exclusion to Group 0491, Neglect or ill treatment of person under care.

499 'Unlawful interference with aviation' has been added as an inclusion to Group 0499, Other dangerous or negligent acts endangering persons, nec.

500 Two groups have been moved from Division 16 to Division 05. These new groups are now titled '0531 Harassment and private nuisance' and '0532 Threatening behaviour'.
531 'Sexual harassment' has been added as an inclusion to Group 0531, Harassment and private nuisance.
'Sexual servitude offences' have been added as exclusions to Group 0531, Harassment and private nuisance.

532 'Bomb threat' has been added as an inclusion to Group 0532, 'Threatening behaviour'.
611 'Armed robbery not resulting in an injury' has been added as an inclusion to Group 0611, Aggravated robbery.

621 'Industrial/corporate extortion' has been added as an inclusion to Group 0621, Blackmail and extortion.

800 'Conspiracy to steal' has been added as an inclusion to the relevant groups within Division 08, Theft and related offences.
811 'Theft of a motor vehicle from motor vehicle retailers' has been added as an inclusion to Group 0811, Theft of a motor vehicle.
'Unlawfully take parts or contents from another person's motor vehicle illegally and without permission' has been added as an exclusion to Group 0811, Theft of a motor vehicle.

813 'Theft from a motor vehicle' has been added as an inclusion to Group 0813, Theft of motor vehicle parts or contents.

821 'Identity fraud' has been added as an exclusion to Group 0821, Theft from a person (excluding by force).

823 'Theft from market stalls', 'Theft from wholesale or factory retail outlets' and 'Theft of retail goods' have been added as inclusions to Group 0823, Theft from retail premises.

829 'Fare evasion', previously located in Group 0915, has been moved to Group 0829, Theft (except motor vehicles), nec.
'Fuel drive-offs' have been added as an inclusion to Group 0829, Theft (except motor vehicles), nec.
'Theft of animal/livestock' has been added as an inclusion to Group 0829.

831 The definition of Group 0831 has been amended to include the processing of proceeds of crime.

841 'Illegal use of tools and/or equipment' has been added as an inclusion to Group 0841, Illegal use of property (except motor vehicles).

911 Group 0911 is a new group, titled 'Obtain benefit by deception'.
'Phishing' has been added as an inclusion to Group 0911, Obtain benefit by deception.

921 Group 0921 is a new group, titled 'Counterfeiting of currency'.
922 'Forgery of documents' has been split out from Group 0921 and moved to its own Group, 0922.

923 'Possess equipment to make false/illegal instrument' has been split out from Groups 0912 and 0921 and moved to its own Group, 0923.

931 'Fraudulent trade practices' has been moved from 0913 to 0931.

932 Group 0932 is now titled 'Misrepresentation of professional status'.
933 Group 0933 is now titled 'Illegal, non-fraudulent trade practices'.
991 Group 0991 is now titled 'Dishonest conversion'.
999 Group 0999 is now titled 'Other fraud and deception offences, nec'.

1000 Conspiracies involving drugs have been added as inclusions to the relevant groups within Division 10, Illicit drug offences.

1031 Group 1031 has been split into two groups, and is now titled 'Manufacture illicit drugs'.
'Possess drug precursors with intent to manufacture illicit drugs' and 'Possess equipment with intent to manufacture illicit drugs' have been added as inclusions to Group 1031.

1032 Group 1032 is a new group, titled 'Cultivate illicit drugs'.
'Cultivate controlled plant' has been added as an inclusion to Group 1032, Cultivate illicit drugs.

1042 'Self administer an illicit drug or controlled substance' has been added as an inclusion to Group 1042 'Use illicit drugs'.
1211 'Malicious property damage by fire or explosion' has been added as an inclusion to Group 1211, Property damage by fire or explosion.
'Malicious property damage not caused by fire or explosion' has been added as an exclusion to Group 1211, Property damage by fire or explosion.

1219 'Malicious property damage not caused by fire or explosion' has been added as an inclusion to Group 1219, Property damage, nec.
'Malicious property damage by fire or explosion' has been added as an exclusion to Group 1219, Property damage, nec.

1311 'Enter restricted areas at major events' and 'Trespass without intent to commit a crime' have been added as inclusions to Group 1311, Trespass.

1312 'Criminal intent' has been moved from 1314 to 1312.

1313 'Riot and affray' has been split out from Group 1319 and moved to its own Group, 1313.

1319 'Hoaxes causing public nuisance' has been added as an inclusion to Group 1319, Disordery conduct, nec.
'Unlawfully use animal', 'Riot and affray', 'Vilify or incite hatred on racial, cultural, religious or ethnic grounds', 'Bomb threats' and 'Hoax calls to emergency services' have been added as exclusions to Group 1319, Disordery conduct, nec.

1323 'Child pornography offences' has been added as an exclusion to Group 1323, Censorship offences.

1324 'Sexual servitude' and 'Sexual assault (including rape) of prostitutes' have been added as exclusions to Group 1324, Prostitution offences.

1325 'Streaking' has been added as an inclusion to Group 1325, Offences against public order sexual standards.
'Child pornography' and 'Sexual servitude offences' have been added as exclusions to Group 1325, Offences against public order sexual standards.

1326 Group 1326 is a new group, titled 'Consumption of legal substances in regulated spaces', and includes 'Drink in an alcohol free zone', 'Possess alcohol in an alcohol free zone' and 'Smoke in a prohibited space'.
1331 'Offensive language' has been moved from 1312 to 1331.

1332 'Offensive behaviour' has been moved from 1313 to 1332.

1333 'Vilify or incite hatred on racial, ethnic or cultural grounds' has been split out from Group 1319 and moved to its own Group, 1333.

1334 'Cruelty to animals' has been split out from Group 1319 and moved to its own Group, 1334.

1339 Group 1339 is a new group, titled 'Offensive conduct, nec'.

1421 'Drive an uninsured vehicle' has been added as an inclusion to Group 1421, Registration offences.

1422 'Cause a vehicle to make excessive noise/smoke' has been added as an inclusion to Group 1422, Roadworthiness offences.

1431 Group 1431 has been renamed, and is now titled 'Exceed the prescribed content of alcohol or other substance'.
'Drive while affected by an illicit substance' has been added as an inclusion to Group 1431, Exceed the prescribed content of alcohol or other substance.

1432 'Exceed speed limit in restricted speed restricted water zones' has been added as an inclusion to Group 1432, Exceed the legal speed limit.

1439 'Fail to appropriately secure a child', 'Fail to provide life jackets', 'Refuse preliminary breath test' and 'Refuse preliminary drug test' have been added as inclusions to Group 1439, Regulatory driving offences, nec.

1441 'Cause a traffic hazard or obstruction as a pedestrian' has been added as an inclusion to Group 1441, Pedestrian offences.

1500 See note under the subdivisions heading for an explanation about the movements of subdivisions in Division 15.

1512 Group 1512 is a new group, titled 'Breach of home detention'.
1513 Group 1513 is a new group, titled 'Breach of suspended sentence'.
1521 Group 1521 is a new group, titled 'Breach of community service order'.
1522 'Breach of parole' has moved from 1513 to 1522.

1523 'Breach of bail' has moved from 1512 to 1523.

1524 Group 1524 is a new group, titled 'Breach of bond - probation'.
1525 Group 1525 is a new group, titled 'Breach of bond - other'.
1529 Group 1529 is a new group, titled 'Breach of community-based order, nec'.

1531 Group 1531 is a new group, titled 'Breach of violence order', and includes breaches of domestic violence orders, previously in Group 1514.

1532 Group 1532 is a new group, titled 'Breach of non-violence order', and includes breaches of other restraining orders, previously in Group 1515.

1542'Bribery involving government officials' has moved from Division 09 to a new Group, 1542.

1543'The Group previously titled 'Immigration regulation offences' has been renamed to 'Immigration offences' and have moved from Division 16 to a new Group, 1543.
'People trafficking' has been added as an inclusion to Group 1543, Immigration offences.

1549'Hoax calls to emergency services' and 'Postal offences' have been added as inclusions to Group 1549, Offences against government operations, nec.

1551'Resist or hinder government official concerned with government security' has moved from 1531 to 1551.

1559'Offences against government security, nec' has moved from 1539 to 1559.
'Conspire, prepare or plan a terrorist act', 'Be a member/provide support to a terrorist organisation' and 'Incite or commit a terrorist act' have been added as inclusions to Group 1559, Offences against government security, nec.

1561'Subvert the course of justice' has moved from 1521 to 1561.

1562'Resist or hinder police officer or justice official' has moved from 1522 to 1562.

1563'Prison regulation offences' has moved from 1523 to 1563.
'Contravention of institutional order' has been added as an inclusion to Group 1563.

1569'Offences against justice procedures, nec' has moved from 1529 to 1569.

1611'Defamation and Libel' has moved from 1614 to 1611.

1612'Obtain benefit by deception' and 'Phone tapping for espionage purposes' have been added as exclusions to Group 1612, Offences against privacy.

1624'The Group previously titled 'Transport offences' has been renamed to 'Transport regulation offences'.
'Offences involving breaches of taxi regulations' has been added as an inclusion to Group 1624, Transport regulation offences.
'Unlawful interference with aviation', 'Roadworthiness offences', 'Drive while licence disqualified or cancelled' and 'Drive without a licence' have been added as exclusions to Group 1624, Transport regulation offences.

1631'Foreign boats fishing in Australian fishing zone unlawfully' has been added as an inclusion to Group 1631, Commercial/industry/financial regulation.
'Personal illegal fishing offences' have been added as an exclusion to Group 1631, Commercial/industry/financial regulation.

1691'Personal illegal fishing offences' have been added as an inclusion to Group 1691, Environmental regulation offences.
'Foreign boat fishing in Australian fishing zone unlawfully' has been added as an exclusion to Group 1691, Environmental regulation offences.

1692'Bribery (excluding government officials)' has moved from Division 9 to a new Group, 1692.